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Attorneys for Plaintiff  
LARRY K. BOECKEN, JR.

11  
12 UNITED STATES DISTRICT COURT  
13 EASTERN DISTRICT OF CALIFORNIA  
14

15 LARRY BOECKEN, JR.,  
16 Plaintiff,  
17 v.  
18 GALLO GLASS COMPANY, and  
DOES 1 THROUGH 50, INCLUSIVE,  
19 Defendant.  
20

Case No. 1:05-CV-90 OWW DLB

**STIPULATION AND ORDER TO  
CONTINUE HEARING ON CROSS  
MOTIONS FOR SUMMARY  
JUDGMENT/ ADJUDICATION**

1 IT IS STIPULATED BY AND BETWEEN THE PARTIES,  
2 THROUGH THEIR COUNSEL, AS FOLLOWS:

- 3 1. On January 24, 2007, the Court issued its Order continuing the hearing on the  
4 parties' cross motions for summary judgment/adjudication to March 26, 2007  
5 at 10:00 a.m.
- 6 2. The Order requested that if the parties were unavailable on March 26, 2007,  
7 that they reach a stipulation continuing the hearing to a date no earlier than  
8 April 9, 2007.
- 9 3. Due to scheduling conflicts, the parties' are unable to attend the hearing on  
10 March 26, 2007 and their next available date for the hearing is Monday,  
11 May 21, 2007.
- 12 4. Accordingly, the parties agree to, and seek the Court's approval of, a  
13 continuance of the hearing on the parties' cross motions for summary  
14 judgment/adjudication to Monday, May 21, 2007 at 10:00 a.m.

15 **SO STIPULATED.**

16 DATED: March 7, 2007

17 SHEPPARD, MULLIN, RICHTER & HAMPTON LLP

18  
19 By: /s/ Jennifer G. Redmond

20 Jennifer G. Redmond  
21 Attorneys for Defendant  
22 Gallo Glass Company

23 DATED: March 8, 2007

24 MURRAY & ASSOCIATES

25 By: /s/

26 Noah W. Kanter  
27 Attorneys for Plaintiff  
28 Larry Boecken, Jr.

**ORDER CONTINUING HEARING**

The Court HEREBY ORDERS THAT the hearing on the parties' cross motions for summary judgment/adjudication is continued to May 21, 2007 at 10:00 a.m.

DATED: March 9, 2007

/s/ Oliver W. Wanger  
Hon. Oliver W. Wanger  
Judge of the U.S. District Court  
Eastern District of California